IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FOURTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 18253 of 1996

Between:

K.Atchiyyanaidu,

s/o.Late Nookaraju,
R/o. 56-36-11 , Kancharapalem,

Visakhapatnam -8.

.... PETITIONER

AND

1 The Managing Director
The Visakhapatnam Cooperative Central Stores

Limted,(Super Bazar), Visakhapatnam-1.
2 The Dist Cooperative Officer
The Visakhapatnam Cooperative Central Store Limited,

Super Bazar, Visakhapatnam-16.
3 M.Ganeswara Rao
The Visakhapatnam Central Stores Limited,

Super Bazar Visakhapatnam -1.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, direction or a writ particularly in the nature of Mandamus declaring the action of the 1st respondent (i) in promoting the juniors to the petitioner as salesman on 6-9-85 vide proceedings No.1365/85/ADM and vide proceedings No.Rc.No.181/94/A-1 Dt. 7-10-94 of the 1st respondent (ii) in not promoting the petitioner as salesman along with 3rd respondent and other personnel on 6-9-95 or on any subsequent date, as illegal, arbitrary and contrary to law and consequently direct the 1st respondent (a) to promote the petitioner immediately and to give effect of the promotion with retrospective effect from 6-9-85 (b) to pay the difference of the salary from 6-9-85 to 17-12-1991 (c) to award further promotion to the petitioner.

Counsel for the Petitioner: MR.A.SRINIVASA SARMA
Counsel for the Respondents 1 & 3: DR.P.B.VIJAY KUMAR,
Counsel for the Respondent No.2: GOVERNMENT PLEADER FOR CO.OP.

The Court made the following:

ORDER:

The writ petition is filed urging a grievance that the petitioner's juniors have been promoted as salesmen by the Visakhapatnam Cooperative Central Stores Limited (Super Bazaar).

2. It is neither pleaded, urged nor demonstrated before this Court that the Visakhapatnam Cooperative Central Stores Limited is a State or instrumentality of the State within the meaning of Article 12 of the Constitution of India.

2. It is not made out as to how the Writ Petition is maintainable against the said Society, in respect of a service grievance, which the petitioner has, with such an institution.

3. The writ petition is not maintainable and is accordingly dismissed. No order as to costs.

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04-08-2004

LSK/LUR

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Managing Director
The Visakhapatnam Cooperative Central Stores

Limted,(Super Bazar), Visakhapatnam-1.

2 The Dist Cooperative Officer
The Visakhapatnam Cooperative Central Store Limited,

Super Bazar, Visakhapatnam-16.

3 The Government Pleader for Cooperative Society,(OUT)

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